IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 5913 of 2006(D)

PETITIONER:

JOSEPH THOMAS, S/O.C.T.JOSEPH,
MUTHUPURATHU VEEDU,NEDUVANNOOR KADAVU,
KOOVAKKAD, KOLLAM DISTRICT. KERALA.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:

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1. THE UNION OF INDIA, REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF EXTERNAL AFFAIRS, NEW DELHI.

2. THE CONSULATE GENERAL OF INDIA, DUBAI, U.A.E.

3. THE PASSPORT OFFICER, THIRUVANANTHAPURAM.

BY ADV. SRI.JOHN VARGHESE, ASSISTANT SG
SMT.MARY BENJAMIN, ACGSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 ORDER DT 9.4.05 ISSUED BY R2.

P2 TRANSLATION OF EXT.P1 ISSUED BY R2.

P3 REPESENTATION SUBMITTED BEFORE R1 DT 25.7.05.

P4 NEWS ITEM PUBLISHED DT 15.7.05.

P5 NEWS ITEM PUBLISHED DT 25.2.05.

P6 PASSPORT WITH VISA STAMPED THEREIN.

P7 RECEIPT ISSUED BY R2 DT 9.4.05.

P8 EMERGENCY CERTIFICATE IMPOUND SLIP ISSUED ON 20.7.05.

TRUE COPY

P.A. TO JUDGE

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) No. 5913 OF 2006 D

Dated this the 7th day of December, 2006

J U D G M E N T

Heard counsel for the petitioner and Assistant Solicitor General for respondents.

2. Eventhough petitioner surrendered the passport for renewal at the Indian Consulate at U.A.E., passport was neither renewed nor returned to the petitioner. However, 3rd respondent has stated that fresh passport shall be issued to the petitioner.

In the circumstances, writ petition is disposed of directing 3rd respondent to issue fresh passport to the petitioner, within six weeks from the date of making application in this regard. The 2nd respondent while returning the renewal fees remitted by the petitioner on his application, should return his old passport for him to produce it anywhere towards proof of his employment earlier in U.A.E.

(C.N. RAMACHANDRAN NAIR, JUDGE)

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